

REMARKS

Claims 1, 3-6, 21, and 31-53 are pending in the application. Claims 1, 21, 46, 48, 50, and 52 have been amended hereby. Claims 7-20 and 22-30 have been cancelled, without prejudice or disclaimer. Claims 1 and 52 are in independent form. Favorable reconsideration is requested.

Reconsideration is respectfully requested of the rejection of Claims 46, 48, and 50 under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 46, 48, and 50 have been amended to address the issues pointed to in the Office Action in paragraph 5.

Accordingly, it is respectfully submitted that amended Claims 46, 48, and 50 are clear and definite in their recitation of the present invention, and meet all requirements of 35 U.S.C. §112.

Reconsideration is respectfully requested of the rejection of Claims 1, 3-6, and 52 under 35 U.S.C. §103(a), as being obvious over U.S. Patent No. 7,136,357 (“Soumiya”) in view of U.S. Patent Publication No. 2002/0174246 (“Tanay”); of the rejection of Claims 9-18, 21-32 and 40-51, as being obvious over Soumiya in view of Tanay and U.S. Patent No. 6,956,821 (“Szviatovscki”); of the rejection of Claim 33, as being obvious over Soumiya in view of Tanay and U.S. Patent No. 7,310,341 (“Prager”); and of the rejection of Claims 34-39 and 53, as being obvious over Soumiya in view of Tanay and U.S. Patent No. 6,493,317 (“Ma”).

Independent Claims 1 and 52 have been amended to include the limitations of Claim 9, and Claim 9 has been cancelled.

The Office Action in paragraph 7 concedes that Soumiya and Tanay fail to show or suggest “wherein in the case where the quality guaranteed route searching module selects such a route as to minimize a cross-over hop count in the network, the quality non-guaranteed

route searching module selects such a route as to maximize a residual bandwidth in the network,” and cites Szviatovsxki for these features.

It is respectfully submitted that Szviatovszki merely describes "maximize unreserved bandwidth at the lowest priority level." That is, the path at high priority level is decided so that unreserved bandwidth at lowest priority level becomes maximum. Therefore, only the path at high priority level is decided. In Szviatovszki, the path at lowest priority level is not selected as to maximize a residual bandwidth in the network.

In contrast, in the embodiments of amended independent Claims 1 and 52 "in case of the quality guaranteed route searching module selects such a route as to minimize a cross-over hop count in the network, the quality non-guaranteed route searching module selects such a route as to maximize a residual bandwidth in the network."

Accordingly, it is respectfully submitted that amended independent Claims 1 and 52, and the claims depending therefrom, are patentably distinct over the cited references, alone or in any possible combination.

In view of the amendments and remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

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